

BOROUGH of GARWOOD
PLANNING BOARD

MEETING of August 28, 2019

Stephen Greet called the meeting to order at 7:30 p.m. and stated the following:

Meeting Notice:

Pursuant to the Open Public Meeting Law, this is to state for the record that adequate notice of this meeting has been provided to the public by publication in the Westfield Leader and by filing of said notice in the office of the Municipal Clerk. This is a regularly scheduled meeting of the Board.

MOMENT OF SILENCE AND SALUTE TO THE FLAG

ROLL CALL

Present: Mayor Sara Todisco, Stephen Greet, William Nierstedt, Councilman Richard McCormack, Ken Capobianco, Kathleen Villaggio, Paul Tarantino, Steve Napolitano,

Absent:

Excused: Michael Vena, John Malcolm (Alt I), Steve Barcan, (Alt, II) Sergio Simoes (Alt III) Peter Demato (Alt IV)

Also present were Board Attorney Donald Fraser, Board Secretary Adele Lewis and Victor Vinegra, P.E., P.P. from Harbor Consultants.

MINUTES

- **MINUTES OF THE JULY 24, 2019 PLANNING BOARD MEETING**

On a motion by Kathy Villaggio and seconded by Mayor Todisco, the Board by general consent to adopt the minutes of the May 22, 2019 meeting

APPLICATIONS

Case #PB19- 05

10 South Ave. Block 501.01, Lot 8

Applicant: Lidl U.S. Operations, LLC

Preliminary & Final Site Plan w/Variances for a supermarket

Chair Greet announced that a letter had been received from Stephen Hehl, Esq. of Javerbaum Wurgaft requesting the case be carried to the September 25th meeting. Mr. Greet announced that the applicant will notice

Case #PB19-07

219 Cedar Street R/A Zone

Applicant: GDSC, LLC

Seeking a Certificate of Non-Conformity for a two-family house in a one family zone

Chair Greet announced that a letter had been received from Stephen Hehl, Esq. of Javerbaum Wurgaft requesting the case be carried to the September 25th meeting. Chair Greet stated as the September agenda is full, the application will be heard at the October 23, 2019 meeting. The applicant will be required to provide new legal notice.

ORDINANCE REVIEW

Pursuant to N.J.S.A.40:55D-26 -Planning Board review of Ordinance to amend provisions of Land Use Ordinance to revise regulations to require electronic submission of applications.

The Board discussed the requirement of the ordinance to include the electronic version of all materials upon submission. The general consensus was that this will be beneficial however Mr. Vinegra opined that there are often several iteration of plans prior to completeness and this may cause confusion. Upon further discussion, the Board felt it more appropriate to have this requirement triggered upon the declaration of completeness.

The Board recommends that a subsection be added – Section 1 **(D)** stating
“The obligation shall not go into effect until the application is deemed complete.”

Mr. Nierstedt inquired if this requirement would be a hardship on some applicants. The Board discussed the ability to waive the requirement in certain instances such as residential site plan exempt applications. The majority of the Board felt given the prevalence of electronic communication, this would not pose a substantial hardship. It was decided that the Board should not exempt any applications. The Board also discussed the possibility of applicants to use a ‘dropbox’ in the future for large electronic files.

*On a motion by Kathy Villaggio and seconded by Stephen Greet the Board voted by general consent to recommend to the Governing Body adopt the Ordinance with the suggested revision that a subsection be added – Section 1 **(D)** stating
“The obligation shall not go into effect until the application is deemed complete.”*

RESOLUTIONS

Board Attorney Fraser distributed the resolutions he had circulated electronically.

Case #PB19-03 **604 608 Willow Ave. R/B Zone Block 302 Lots 11 & 12**
Applicant: 604/ 608 Willow Ave., LLC
Granting minor subdivision

On a motion by Kathleen Villaggio and seconded by William Nierstedt, The Board voted Affirmative (5) Mayor Sara Todisco, Councilman Richard McCormack, Stephen Greet, Kathleen Villaggio Ken Capobianco, to memorialize the wording of the resolution granting minor subdivision.

Case #PB19- 02

345 South Ave. Block 404 Lot 3

C/B Zone (Commercial Business)

Applicant: 345 South Ave, LLC

Seeking waiver of Site Plan to convert the second and third floor of a mixed use building from office use to residential use w/Parking Variance

Mayor Todisco inquired if a condition of approval had been inadvertently omitted from the resolution. She stated she recalled the requirement of the applicant providing his tenants with parking diagrams as a condition of approval.

Richard Brightman, Esq. who represent the applicant was present and stated that he recalled that as a condition of approval as well.

Board Attorney Fraser stated that he will amend the resolution to reflect the condition.

On a motion by Kathleen Villaggio and seconded by Stephen Greet, The Board voted Affirmative (5) Mayor Sara Todisco, Councilman Richard McCormack, Stephen Greet, William Nierstedt, Kathleen Villaggio, to memorialize the resolution as amended granting Site Plan approval to convert the second and third floor of a mixed use building from office use to residential use w/Parking Variance.

Invitation to the Public to Address the Board

Chair Stephen Greet asked if anyone would like to address the Board.- No Comments

CLAIMS

The following claims were presented for payment and approved.

To Victor Vinegra of Harbor Consultants:

- Invoice # 28768 for \$5892.00 from the escrow of Russo I-South Ave-
- Invoice # 28313 for \$2247.50 from the escrow of 2 North Avenue/Dittricks
- Invoice # 28773 for \$1215.00 from the escrow of Garwood PaperBoard
- Invoice # 28769 for \$1280.00 from the escrow of 3 Lincoln Avenue
- Invoice # 28770 for \$290.00 from the escrow of Russo II-South Ave

OLD/NEW BUSINESS

Victor Vinegra provided an update on the status of 3 Lincoln Ave. The Board had placed as a condition of approval that the work be completed by June 30th. Mr. Vinegra reported that Zoning Officer DeStefano had issued a warning and the applicant has been given 45 days to comply.

Mr. Vinegra updated the Board on the status of the Russo I environmental cleanup and stated the remediation is almost complete.

Mr. Vinegra provided an update on the PaperBoard site and the Board discussed Demolition plans and requirements going forward.

ADJOURNMENT

There being no further business, the Board adjourned 8:35 p.m.

The next scheduled meeting of the Board is September 25, 2019.

Respectfully Submitted,

Adele C. Lewis, Board Secretary